

PATENT MAINTENANCE
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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In re Application of: LUTZ, Carl David et al.

Group Art Unit: 2877

Serial No. 10/684,864

Examiner: PUNNOOSE, R.

Filed: 10/14/2003

Atty. Dkt. No: SI003-US

For: COLORIMETER WITH HIGH SNR

To: Office of Finance - Mail Stop 16
Director of US Patent and Trademark Office
PO Box 1450
Alexandria, VA 22313-1450

24222

CERTIFICATE OF Facsimile 37 CFR 1.8: I certify that this correspondence is being faxed on the below date to Office of Finance - Mail Stop 16, Director of US Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450, Fax #. 571-273-6500, Telephone #: 571-272-6500

Date: March 15, 2006

Debra A. Stengel
[X] Debra A. Stengel

Commissioner:

REQUEST FOR PARTIAL REFUND OF ISSUE FEE
Pursuant to 37 CFR 1.28(a)

Pursuant to 37 CFR 1.28(a) Applicant respectfully requests a partial refund of the issue fee paid on February 7, 2006 for the above cited patent application. The application has not yet issued.

Effective January 3, 2005 ownership of this application was transferred to the current Assignee, GretagMacbeth, LLC, and is entitled to Small Entity Status under the provisions of 37 CFR 1.27, as evidenced by the enclosed executed assertion entitled Statement Claiming Small Entity Status dated Feb. 2, 2006.

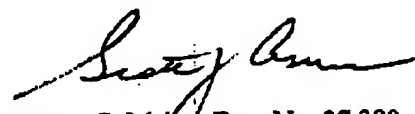
The undersigned Assignee's representative paid the large entity issue fee of \$1400.00 on February 7, 2006. This payment error occurred in good faith and without deceptive intent. This

request is filed within three (3) months of the payment of the full fee. Therefore, a partial refund of \$700.00, the difference between large and small entity issue fee, is respectfully requested.

Undersigned attorneys respectfully request prompt processing and further request that the Office contact the undersigned with any questions.

DEPOSIT ACCOUNT 500323 AUTHORIZATION – All required fees are intended to be included with this submission. However, the Office is hereby authorized to charge any deficiency or credit any overpayment in the fees to deposit account #500323.

Respectfully submitted,



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tel 603-886-6100, fax 603-886-4796, www.MaineandAsmus.com**Statement Claiming Small Entity Status**

(GretagMacbeth LLC - SI003-US)

A small entity is any legal entity that employs less than 500 people on average, including affiliates*. The number of employees of the entity is the average over the previous fiscal year and includes persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year. If an invention is assigned or licensed to a legal entity with more than 500 employees, small entity status is lost.

I hereby state that I, or the below noted business concern, qualifies for Small Entity Status as described above.

GretagMacbeth LLC

Company Name

Authorized Signature, Title

Thomas J. Vacchiano, *CEO & President*

Printed Name

February 2nd, 2006
Date

* An affiliate is defined as - "Concerns are affiliates of each other when one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both." Consideration should be given to "factors such as ownership, management, previous relationships with or ties to another concern, and contractual relationships, in determining whether affiliation exists."

